

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 2
2. AMENDMENT/MODIFICATION NO. 006	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY REGION 6 US ENVIRONMENTAL PROTECTION AGENCY 1445 ROSS AVENUE SUITE 1200 DALLAS TX 75202-2733	CODE R6	7. ADMINISTERED BY (If other than Item 6) REGION 6 US ENVIRONMENTAL PROTECTION AGENCY 1445 ROSS AVENUE SUITE 1200 DALLAS TX 75202-2733	CODE R6
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) TOEROEK ASSOCIATES INC 300 UNION BLVD SUITE 520 LAKEWOOD CO 80228-1552		(x) 9A. AMENDMENT OF SOLICITATION NO.	
CODE 825211824 FACILITY CODE		9B. DATED (SEE ITEM 11)	
		x 10A. MODIFICATION OF CONTRACT/ORDER NO. EP-W-10-011 EP-DT06-00002	
		10B. DATED (SEE ITEM 13) 06/03/2010	

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended. ☐ is not extended.
Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

See Schedule

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
X	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☒ is not. ☐ is required to sign this document and return 0 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

DUNS Number: 825211824

Information/Records Support for Region 6

The purpose of this modification is to revise Item C entitled "Freedom of Information Act Request Support" under Section V. entitled "Task Descriptions" in the Performance Work Statement. This modification does not affect the task order ceiling. The task order ceiling remains \$582,000.00.

TOPO: Karen Hartis

Continued ...

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Cora Stanley	
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA (Signature of Contracting Officer)	16C. DATE SIGNED 8/25/10

NSN 7540-01-152-8070
Previous edition unusable.

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA
FAR (48 CFR) 53.243

CONTINUATION SHEET	REFERENCE NO. OF DOCUMENT BEING CONTINUED	PAGE	OF
	EP-W-10-011/EP-DTO6-00002/006	2	2

NAME OF OFFEROR OR CONTRACTOR
TOEROEK ASSOCIATES INC

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	Payment: RTP FINANCE CENTER US ENVIRONMENTAL PROTECTION AGENCY RTP-FINANCE CENTER MAIL DROP D143-02 109 TW ALEXANDER DRIVE DURHAM NC 27711 Period of Performance: 06/03/2010 to 04/11/2013				

ATTACHMENT 1

C. FREEDOM OF INFORMATION ACT REQUEST SUPPORT

The Freedom of Information Act (FOIA) 5 U.S.C. Section 552 as amended in 2002, and the OPEN Government Act of 2007, requires each Agency of the Federal Government to make its records available for public inspection and copying.

The COTR will prepare a work order, using Checklist D1, for each FOIA request received by the Superfund Division, attach the FOIA request, and forward to the Task Order Project Manager. The Contractor shall assign work order numbers in a FOIA-unique sequence, separate and apart from the other task order numbering.

The Contractor shall support the Region 6 Superfund Program in preparing appropriate and timely responses to the FOIA requests it receives and ensure the memorialization of those requests and responses. *Currently the Region 6 Superfund Division FOIA procedures are being rewritten.* These procedures, characterized by greatly improved efficiency and sensitivity to input from Agency employee site teams, will emphasize consistent workflow paths based on unique site timing and other considerations. FOIA operations, if poorly planned or executed, impact other aspects of Superfund site work in costly, time consuming ways. It is imperative that FOIA responsibilities not be approached in a vacuum but instead be carried out as a part of the overall Superfund fabric. **The Contractor shall be required to consistently follow the Superfund Division FOIA procedures.**

The Contractor will be provided with appropriate access to Agency resources to accomplish this Task, including Enterprise, SDMS (non-confidential), and WasteLan. **The Task Order Project Manager or Contract Single Point of Contact shall consult the EPA-provided EFMC holdings list. For FOIA requests which concern the listed sites, the Contractor shall forward a copy to the EFMC COTR and EFMC Project Manager and the site Enforcement Officer.**

1. FOIA Research and Response

Performance Requirements: The Contractor shall research and prepare Region 6 Superfund FOIA responses according to Region 6 Superfund FOIA procedures.

Performance Standards: To carry out this Task, the Contractor must possess understanding of the Superfund process, knowledge of site status, and excellent communication skills to understand and articulate obstacles to completing appropriate responses.

The contractor shall search out responsive records, report findings, create SDMS collections of potentially responsive documents, prepare indexes (SDMS-direct extractions) of those collections for site team review, solicit clarification from requestors, solicit input from case teams (via the COTR) as required by the Region 6 Superfund

FOIA procedures, prepare draft FOIA and final denial logs (SDMS-direct extractions), forward requests (with site team and COTR approval) for D-F electronic media storage generation, written documentation (ROC and email) of requestor contacts, FOIA charge sheet creation ensuring inclusion of both Contractor and EPA staff time, solicit written confirmation of fee commitments from requestors, FOIA draft response letter creation, FOIA final response letter creation with all appropriate management and site team concurrences, directory print-out of CD ROM or DVD content, and copies of CD/DVD labels. The Contractor will be provided by the COTR with a search hierarchy to frame the scope of the response and to confirm that the scope is understood before research begins. **The Contractor shall communicate clearly and quickly at any time during the conduct of FOIA work the status response and issues to the COTR, upon request.**

Responses shall be prepared using letter templates provided at the time of tasking.

The Contractor shall also consult the EFMC holdings list. If material thought to be potentially responsive to the request is held in EFMC, the Contractor shall ensure that the EFMC COTR and Project Manager are aware of the request, and that EFMC input is included within the response.

If responsive documents which have not yet been processed into SDMS are identified, the FOIA work order is suspended for up to ten working days and a new Document Organization and Control work order is created and issued by the COTR. When the work is completed, the prior FOIA work order is closed (if not already closed), and a new FOIA work amendment is issued.

Deliverable outputs under this subsection are twofold:

- 1) the response, regardless of media and all documents to be provided in response, regardless of media, and**
- 2) all the material gathered and created to respond to the FOIA request, and the commensurate, accurate filing and entry into SDMS of that material. This material shall be reflected in SDMS as three related records, as described:**
 - a) the FOIA request with the EPA-generated FOIA assignment form;**
 - b) a copy of the FOIA response**
 - c) the control folder/ working folder content, to include: concurrence copy of the responsive letter or other equivalent; interim correspondence, emails, records of communication (ROCs), including all contacts with the requestor, research notes, billing sheet, responsive CD/DVD directory content, related collection information, and CD/DVD labels copies.**

Acceptable Quality Level (AQL): All deliverables shall be completed by the due date specified by EPA. The Contract staff member shall identify himself or herself to the requestor as a Contractor 100% of the time, for each FOIA related contact, regardless of communication mechanism. Contractors shall return phone calls and **emails** within one business day of learning of requestor call. Every contact for every FOIA is to be documented in writing, including RIN/**Identification** number, date of contact, nature of contact, and outcome. Fee commitments are to be secured and documented according to

the Region 6 Superfund FOIA Procedures.

Listings of responsive documents, whether to be provided or denied by the agency, shall only be derived by use of SDMS and prepared through **metatdata** extraction and exported to Excel spreadsheets only. Retyping of these lists for letter inclusion will be unacceptable. Drafts shall be 85% accurate; finals shall be one hundred percent (100%) accurate.

For each FOIA response tasked, the Contractor shall submit via Express Link (or replacement) for SMDS entry the three standard, related records described above, within one business day of FOIA completion.

Task Order hour estimates shall be within 10% the amount scoped by COTR and agreed by the Contractor Task Manager. Requests that require less than 75% of the time estimated or more than 150% of the time estimated for completion will require a Summary of Response Report, as described under FOIA Tracking and Reporting.

2. FOIA Tracking and Reporting

Performance Requirements: *The Contractor shall maintain the FOIA Express database (or replacement) for each FOIA assigned to the Region 6 Superfund Division. The Contractor shall maintain a corresponding manual log as well to ensure that tracking information is always available. The contractor shall maintain an Excel spreadsheet file which captures the FOIA workflow at a more detailed level than FOIA Express, and shall be available for review upon inspection by EPA. The contractor shall prepare a weekly written status report. The contractor, as described in the subtask above, shall prepare a Summary Response Report if hour estimate discrepancies arise as characterized.*

Performance Standards: Each relevant field, for each assigned FOIA, shall be completed in the FOIA Express database (or replacement). Every status change, as the workflow for the FOIA proceeds, shall also be recorded by the Contractor within two hours of occurrence. The manual log shall be updated as required by the Region 6 Superfund FOIA Procedures. The FOIA workflow spreadsheet file is to be maintained daily. **All Document and Control organizational work orders enacted to complete processing necessary for FOIA response should also be reported by respective FOIA Identification number, the two relevant work order numbers, along with due date and status for completion of each relevant work order number.**

The Contractor shall prepare a weekly written report due by noon each Thursday. **This report is currently known as the weekly "Total Assigned Report". A copy of this report will be furnished at the outset of this task order.** This report captures the research completions, response completions, and likelihood of completions by Friday COB for each in-process FOIA assigned to Superfund. Additional components of the report may be determined by the new Region 6 Superfund Division FOIA procedures.

Acceptable Quality Level (AQL): All database entries shall be made within one hour of FOIA assignment at the outset and within one business hour of process step accomplishment, requestor contact, team member contact, or COTR contact. All report deliverables shall be submitted and/or completed by the due date and time specified by EPA.

3. FOIA Meetings

Performance Requirements: The Contractor Task Manager shall meet with the COTR or alternate, for regular and unplanned meetings. **Occasionally, FOIA meetings will be held with a larger group of EPA and Contractor staff when FOIA response involves EFMC holdings, when litigation is concurrent with the FOIA response process, or when non-record material is determined to be responsive.**

Performance Standards: The Contractor Task Manager shall meet with the COTR or alternate COTR at the beginning of every week (usually Monday afternoon) for no more than one hour to assess the week's workload, to reprioritize workload, to assess obstacles and to resolve problems. The Contractor shall meet with the COTR, site team, or other Superfund management and staff as relevant to discuss status and problem resolution as determined necessary by the COTR. These meetings will likely be no more than ninety minutes in duration; the Contractor Task Manager, and staff assigned for that FOIA response shall attend and participate.

Acceptable Quality Level (AQL): The Contractor shall attend, participate, and prepare notes of all planned and COTR-requested FOIA-related meeting. The Contractor shall be available within two business hours to meet with the COTR, site team, or other Superfund management and staff as relevant to discuss status and problem resolution. Site specific meeting notes shall be included within each FOIA response research record file for SDMS entry.